

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

<b>MOD STACK LLC,</b> Plaintiff,  v.  <b>GENBAND INC.,</b> Defendant.	CASE NO. 2:16-cv-296-JRG-RSP (LEAD CASE) (CONSOLIDATED)
<b>DIGIUM, INC.</b> Defendant.	CASE NO. 2:16-cv-295-JRG-RSP (CONSOLIDATED)

**ORDER**

The Agreed Motion to Dismiss Digium, Inc. Pursuant to Rule 41(a)(2) With Prejudice all claims asserted between Plaintiff Mod Stack LLC and Defendant Digium, Inc., is GRANTED.

It is therefore ORDERED, ADJUDGED AND DECREED that all claims asserted in this suit between Plaintiff Mod Stack LLC and Defendant Digium, Inc., are hereby DISMISSED WITH PREJUDICE.

It is further ORDERED that all costs, expenses and attorneys' fees are to be borne by the party that incurred them.

**SIGNED this 22nd day of July, 2016.**

  
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ROY S. PAYNE  
UNITED STATES MAGISTRATE JUDGE